IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23027 of 2004

Between:

1 Sanapureddy Radhakrishna Reddy, s/o Adisesha Reddy,
2 Smt. Sannapu Reddy Rama, W/o Radhakrishna,
3 Smt. Uchuru Suseelamma, W/o Rama Subbareddy,
All are R/o Kovuru Village and Mandal, Nellore District.

..... PETITIONER(S)

AND

1 The District Collector and Chairman , District Level Acqua Culture, Committee, Nellore, Nellore District.
2 The Mandal Revenue Officer, Kovuru Mandal, Nellore District.
3 Maddireddy Masthan Reddy, s/o Nagi Reddy,
Near Anjaneya Swami Temple, Kovur Village & Mandal, Nellore District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ or direction declaring the action of the respondents 1 and 2 in allowing illegal and unauthorised conversion of agricultural lands into acqua culture ponds in S.Nos. 1000/1, 940, 941, 1000/2,944, 944/2, 945, 946, 939/A,B, 942, 943 of Kovuru village without permission as illegal and arbitrary and consequently direct the respondents 1 and 2 to take action against the illegal and unauthorised conversion of agricultural lands into acqua culture ponds S.Nos. 1000/1, 940, 941, 1000/2,944, 944/2, 945, 946, 939/A,B, 942, 943 of Kovuru village and pass such other or further order or orders

Counsel for the Petitioner:MR.P.GANGA RAMI REDDY

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ AND RURAL DEVELOPMENT

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents in not taking action against third respondent for illegal and unauthorized conversion of agricultural lands into acqua culture ponds in survey nos.1000/1, 940, 941, 1000/2, 944, 944/2, 945, 946, 939/A, B, 942 and 943 of Kovvur village, Nellore district.

Learned counsel for petitioners submitted that due to conversion of agricultural lands into aquaculture ponds by the third respondent, the fertility of the petitioners' lands is being affected and in spite of issuance of legal notice dated 13-10-2003, no action is taken by the respondents.

While dealing with similar matter, where the individuals are turning the agricultural lands into aquaculture thereby affecting the neighbouring lands, the Division Bench of this Court in W.P.22726 of 2004 by order dated : 14-12-2004 directed the authorities to pass appropriate orders after giving notice to all the effected parties.

Having regard to the fact that the legal notice is pending consideration before the respondents, and in view of the decision of the Division Bench cited supra, the writ petition is disposed of directing the respondents to pass appropriate orders in accordance with law, after giving notice and reasonable opportunity to third respondent. No costs.

N.V.RAMANA,J

17-1-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector and Chairman , District Level Acqua Culture, Committee, Nellore, Nellore District.
2 The Mandal Revenue Officer, Kovuru Mandal, Nellore District.
3 Maddireddy Masthan Reddy, s/o Nagi Reddy,
Near Anjaneya Swami Temple, Kovur Village & Mandal, Nellore District.

4.2CCs to G.P. for Panchayat Raj and Rural Development, High Court of A.P. Buildings, Hyderabad (OUT)

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